

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
FELIPE DELATORE-ZARATE  
aka CEBOLLO,  
  
Defendant.

No. CR08-0147 RAJ

MOTION AND ORDER  
TO DISMISS INDICTMENT  
WITHOUT PREJUDICE

The United States of America, by and through Jeffrey C. Sullivan, United States Attorney for the Western District of Washington, and Lisca Borichewski, Assistant United States Attorney, moves this Court for a dismissal without prejudice of the Indictment in the above-entitled matter. This motion, brought pursuant to F.R.Cr.P. 48, is presented because a First Superseding Indictment has been returned in a related case, United States v. Jesus Orozco-Carrasco, et al., CR08-144JLR, which charges the defendant for the conduct encompassed in this Indictment. In case CR08-144JLR, the defendant is charged under the name FELIPE DE LA TORRE-ZARATE, a/k/a Cebollo.

1 Therefore, the government moves to dismiss without prejudice United States v. John  
2 Doe, CR08-147RAJ, as this matter is subsumed into United States v. Jesus Orozco-  
3 Carrazco, et al., CR08-144JLR.

4 DATED this 22nd day of July, 2008.

5  
6 JEFFREY C. SULLIVAN  
7 United States Attorney

8 s/ Lisca Borichewski  
9 LISCA BORICHEWSKI  
Assistant United States Attorney

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16  
17 **ORDER**

18 This matter having come on before the undersigned court on the Government's  
19 Motion to Dismiss without Prejudice, pursuant to F.R.Cr.P. 48, the Court having considered  
20 the Motion and files and records, now therefore,

21 DISMISSES WITHOUT PREJUDICE the above-entitled Indictment as the conduct  
22 charged is subsumed into United States v. Jesus Orozco-Carrazco, et al., CR08-144JLR.

23 IT IS SO ORDERED.

24 DATED the 5<sup>th</sup> day of August, 2008.

25   
26 The Honorable Richard A. Jones  
United States District Judge